

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

DEC 11 2015

for the
District of New Mexico**MATTHEW J. DYKMAN**
CLERK

In the Matter of the Search of

*(Briefly describe the property to be searched
or identify the person by name and address)*2004 Chevrolet Silverado 1500, bearing New Mexico
license plate 237STT, with Vehicle Identification Number
2GCEC19V041273029.

Case No. 15-MR-826

APPLICATION FOR A SEARCH WARRANTI, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location):*

2004 Chevrolet Silverado 1500, bearing New Mexico license plate 237STT, with Vehicle Identification Number 2GCEC19V041273029, located 2 1/2 miles east of the Sanostee Chapter House in Newcomb, New Mexico.

located in the _____ District of _____ New Mexico _____, there is now concealed *(identify the person or describe the property to be seized):*

"Tire iron/cross bar"

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

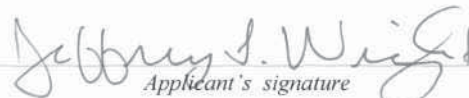
- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
Title 18 U.S.C. 1153	Offenses Committed within Indian Country
Title 18 U.S.C. 113(a)(3)	Assault with a Dangerous Weapon
Title 18 U.S.C. 13	Burglary with Intent to Commit a Felony Therein

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Jeffrey T. Wright, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12-11-15

City and state: Farmington, New Mexico



Judge's signature

B. Paul Briones, United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

AFFIDAVIT

I, Jeffrey T. Wright, being duly sworn, do hereby depose and state:

1. I am a Special Agent (SA) with the United States Department of Justice, Federal Bureau of Investigation (FBI), and have been employed in that capacity for approximately seven years. I am currently assigned to the Albuquerque Division of the FBI, Farmington Resident Agency, and have primary investigative responsibility for crimes that occur in Indian Country, including violent crimes such as homicide, robbery, aggravated assault, and sexual assault. I am also responsible for investigating all other federal crimes for which the FBI investigates in the San Juan County area of New Mexico.

2. The information set forth in this affidavit has been derived from an investigation conducted by your Affiant, Shiprock Criminal Investigator (CI) Jefferson Joe (Navajo Department of Criminal Investigations), and/or communicated to me by other law enforcement officers of the Navajo Nation and witnesses.

3. On the morning of December 3, 2015, CI Joe notified your Affiant of a burglary and assault which occurred earlier that morning in Little Water, New Mexico, at a home located approximately 18 miles south of Shiprock and one mile east of U.S. 491. This location is within the exterior boundaries of the Navajo Indian Reservation. CI Joe further advised that the

two individuals who reside at the home (hereafter referred to as Victim 1 and Victim 2) were assaulted and terrorized by Eli Hunt (hereafter referred to as Hunt), a Navajo male born in 1979. Gunshots were also reported to have been fired by Hunt.

4. On December 3, 2015, Victim 1 and Victim 2 were contacted at their residence. Victim 1 advised she heard noises in her home at approximately 1:30 a.m. as she slept in the downstairs bedroom. A few moments later, Victim 1 was awakened as her bedroom door swung open and she observed Hunt standing over her. Victim 1 recognized Hunt as they have known each other for several years. Hunt was previously employed by Victim 2 as a truck driver and was furthermore considered by Victim 1 to be a cousin through clan relationship. Hunt demanded to know where Victim 2 was located. Victim 1 observed a "cross bar", or tire iron, in Hunt's right hand and a pistol in his left hand.

5. As Hunt yelled at Victim 1, Victim 2 came downstairs from the room where he was sleeping. He was dressed in a t-shirt, shorts, and slippers. As Victim 2 entered the room downstairs, Hunt swung the cross bar at him several times. Victim 2 managed to duck the swings and ran out of the house as Victim 1 attempted to hold Hunt and wrestle away the cross bar. As Victim 2 ran outside, one slipper fell from off his foot.

6. Hunt followed after Victim 2 and caught up to him at an all-terrain vehicle (ATV) parked just outside the front door. Victim 2 was attempting to start the ATV when Hunt grabbed him. As Victim 1 attempted to again intervene, Victim 2 escaped Hunt's grasp and ran south, along the fenced-in yard, and around

the back of the house. As he ran, the other slipper fell from off his foot.

7. Victim 1 observed Hunt walking along the fence in pursuit of Victim 2. She subsequently observed Hunt raise his arm and fire a shot up into the air. Victim 1 then ran back into the house and called law enforcement from an upstairs room. A few moments later, Victim 1 heard a second gunshot.

8. Victim 2 stated he jumped over his fence once he got behind the house and attempted to hide behind a large propane tank. He saw Hunt jump the fence as well and fire a shot over Victim 2's head. Hunt subsequently swung his pistol at Victim 2 several times which Victim 2 managed to duck. They wrestled each other to the ground at which point Victim 2 heard Hunt say, something to the effect of, "I'm gonna kill you." Hunt stood up and pointed the pistol at Victim 2's face, holding it approximately two feet away. Victim 2 advised Hunt pulled the trigger two times but the pistol did not fire. Victim 2 stated he feared for his life and cried for mercy.

9. Hunt subsequently forced Victim 2 to walk back to the front of the house where he then called for Victim 1, stating he wanted to tell her why he was there. Victim 1 came back downstairs and stood at the doorway. Hunt stood just outside the door and Victim 2 entered the house and stood behind Victim 1.

10. Victim 1 advised she held her phone behind her back as she was still connected with police dispatch. They spoke at the front door for approximately 20 minutes, during which time Hunt stated he was there for Victim 2 because he heard Victim 2 had

stolen his cattle. Hunt made several threats, many of which were overheard by the police dispatcher. These threats included statements that he had an AK47, a "tommy gun", and a .50 caliber. He was also overheard saying he was a former Marine, he would burn down their house, and was not afraid to confront police.

11. Victim 1 felt scared and threatened as Hunt said he would come back and "shoot you guys" if they called the police. She was furthermore afraid for the safety of her children who are often in the home. Hunt continued with his threats, stating there were several guys in his truck who were getting restless and several more guys just over the hill. As Hunt spoke, he held his pistol in his hand and swung it around, pointing it at the victims several times. Victim 1 advised her eyes followed the pistol as Hunt swung it around. When Hunt was finished speaking with Victim 1 and Victim 2, he took back his tire iron and departed the residence in his truck.

12. SA Wright and CI Joe processed the scene for evidence and collected two spent bullet casings along the exterior of the home. Shattered glass was also observed as the home's sliding glass door was completely broken out. The front door's hardware was furthermore observed to be damaged.

13. Hunt was arrested without incident at approximately 7:37 a.m. at his residence by Navajo Police. A pistol was also located in his home and seized at that time.

14. Hunt was interviewed by your Affiant and CI Joe on the afternoon of December 3, 2015, at the Shiprock Criminal Investigator's Office. After being advised of his rights and